



**THE CITY OF NEW YORK
LAW DEPARTMENT**

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VIA ECF

Honorable Lorna G. Schofield
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Nell, et al. v. City of New York
19 Civ. 6702 (LGS)

Dear Judge Schofield:

I am the Assistant Corporation Counsel in the Office of Georgia M. Pestana, Corporation Counsel for the City of New York, assigned to represent the defendant in this action. I write on behalf of both parties to report that the parties have reached a settlement in principle to fully resolve this matter. The parties are in the process of drafting a Settlement Agreement, and, once finalized will submit it to the Court for approval pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206 (2d Cir. 2015). Based on counsel's experience resolving similar FLSA matters in the past, including before Your Honor, the parties do not anticipate disputes in connection with drafting or finalizing the settlement agreement or approval papers. Accordingly, the Parties will submit the settlement agreement for Court approval by no later than October 29, 2021.

Given the settlement in principle, the parties respectfully request that the deadlines for pre-trial submissions as ordered in Docket No. 116 and the jury trial scheduled to begin on November 29, 2021 be adjourned *sine die*.

Respectfully Submitted,

/s/
Andrea O'Connor
Assistant Corporation Counsel

cc: All Counsel (via ECF)